

A
B I L L

TO

Make certain Provisions dealing with the Irish Vice-
Royalty.

A.D. 1882.

WHEREAS it is expedient that provision should be made for the exercise of certain powers in relation to the government of Ireland in case Her Majesty should be pleased to abolish the office of Lord Lieutenant of that part of the United Kingdom :

Presbide.

- 5 Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that in case Her Majesty shall, by a proclamation under the Great Seal of the United Kingdom of
10 Great Britain and Ireland, declare Her pleasure that the office of Her Lieutenant General and Governor General of Ireland be abolished, this Act shall commence and take effect from the time by such proclamation appointed for the abolition of the said office.

Act to com-
mence from
the time ap-
pointed by
Her Ma-
jesty's pro-
clamation for
the abolition
of the office
of Lord
Lieutenant.

- 15 *L. From and after the commencement of this Act* an Act of the Parliament of Ireland passed in the twenty-eighth year of King George the Third, intituled "An Act for repealing an Act
" made in the thirty-third year of the reign of King Henry the
" Eighth, intituled 'An Act for the election of the Lord Justice,
" 'and also for the election of a Lord Justice and Governor of this
20 " 'realm upon the event and in the manner therein mentioned,'"
shall, save so far as the same repeals the said Act of the thirty-third year of the reign of King Henry the Eighth, and all other statutes, laws, or usages for the election of a Justice or Governor of Ireland
upon any avoidance as in the said Act of the twenty-eighth year
25 of King George the Third mentioned, be repealed; and so much of an Act passed in the third year of King William the Fourth, intituled "An Act to provide for the salaries of certain high and
" judicial officers, and of payments heretofore made out of the Civil
" List revenues," as provides for the grant to the Lord Lieutenant

28 G. 3. c. 24
(L.) (for ap-
pointing
Local Jus-
tices).

2 & 3 W. 4.
c. 118. s. 3.
repealed.

[Bill 65.]

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A.D. 1862. General and General Governor of Ireland for the time being of such salary as therein mentioned, shall be repealed.

Lord Chancellor, and, during vacancy of his office or in his absence, any Privy Councillor appointed by Her Majesty, shall preside in and summon the Privy Council of Ireland.

2. The Lord Chancellor of Ireland, and in case of any vacancy in the office of such Lord Chancellor, or in the absence of such Lord Chancellor from any meeting of the Privy Council of 5 Ireland, any member of such Privy Council whom Her Majesty may appoint to preside during such vacancy or absence, or the first in order of nomination of several members appointed by Her Majesty for that purpose who may be present at any meeting of the said Privy Council, shall be President of such 10 Privy Council; and the Lord Chancellor of Ireland, or during any vacancy of the office of such Lord Chancellor, or during the absence of such Lord Chancellor from that part of the United Kingdom, such member of the said Privy Council then in Ireland as under Her Majesty's appointment would be entitled to preside in such 15 Council, shall have and exercise all such powers of summoning or causing to be summoned such Privy Council as are vested in or exercised by the Lord Lieutenant.

Powers of confirming byelaws under certain Acts, and the jurisdiction in appeals continued in the Privy Council of Ireland.

3. All the powers which under any statutory enactments in that behalf contained in any Act or Acts respectively in force and sub- 20 sisting might, if this Act had not been passed, have been exercised by the Lord Lieutenant, with the advice or advice and consent of the Privy Council of Ireland, or by such Lord Lieutenant in Council, or by the Privy Council of Ireland, of making, disallowing, confirming, approving, or altering any regulations, byelaws, rules, or 25 orders, and all powers auxiliary thereto, shall and may be exercised by the Privy Council of Ireland; and where under any statutory enactments in that behalf contained in any Act or Acts respectively in force and subsisting, any such appeal as in the said Acts mentioned, or where by any law in force at the commencement of this 30 Act any appeal from any judgment, decree, order, or other judicial proceeding, might if this Act had not been passed have been made to the Lord Lieutenant and Privy Council of Ireland, or to such Lord Lieutenant in Council, or to the Privy Council, the like appeal may be made to the Privy Council of Ireland, and the said Privy Council 35 shall have the same powers of hearing and determining such appeal, and making orders in relation to the matter thereof, as by the said Acts respectively, or by any such law as aforesaid, such Lord Lieutenant, with the advice or with the advice and consent of the Privy Council of Ireland, or such Lord Lieutenant in Council, or such 40 Privy Council, would have had; and all orders of the said Privy Council in relation to such appeals shall have the like force and

effect as the like orders of such Lord Lieutenant in Council, or of such Lord Lieutenant with the advice and consent of the Privy Council of Ireland, or the like orders of such Privy Council, would have had if this Act had not been passed.

- 5 4. All letters patent, commissions, and other documents passed under the Great Seal of Ireland, and now tested in the name of the Lord Lieutenant, and all writs now tested in the name of the Lord Lieutenant, shall be tested in the name of Her Majesty.
- 10 5. It shall be lawful for Her Majesty, upon the report or recommendation of the Privy Council of Ireland, by warrant under Her Royal Sign Manual, or by proclamation under the Great Seal of the United Kingdom, to exercise all powers and do all acts which under any statutory enactments in that behalf
- 15 contained in any Act or Acts respectively in force and subsisting might if this Act had not been passed have been exercised or done by the Lord Lieutenant and Privy Council of Ireland, or by such Lord Lieutenant with the consent or assent of such Privy Council; and where any such power or act is required to be exercised or done
- 20 by or with the assent or consent of not less than a specified number, or not less than a specified number of a particular class or description, or a majority not less than a specified number of such Privy Council, then, in every like case, the concurrence of not less than the specified number, or of not less than the specified number of the
- 25 particular class or description, or of a majority not less than the specified number of the said Privy Council, in such Acts respectively mentioned, shall be required to such report or recommendation under this Act.

6. Provided always, that where under any Act now in force
- 30 the Lord Lieutenant or Privy Council would have power to order and direct that the appointment to any ecclesiastical dignity, office, or rectory be suspended until such Lord Lieutenant and Council think fit otherwise to direct, it shall be lawful for Her Majesty by warrant under Her Royal Sign Manual to order and
- 35 direct the suspension of such appointment until Her Majesty think fit otherwise to direct; and where the said Lord Lieutenant and Privy Council would have power to remove any such suspension, and to give authority for the appointment to any office, dignity, or rectory, it shall be lawful for Her Majesty by warrant under Her
- 40 Royal Sign Manual to remove such suspension on the condition on which such suspension might have been removed by such Lord Lieutenant and Council.

Documents under Great Seal of Ireland and writs to be tested by Her Majesty.

Powers vested in Lord Lieutenant and Privy Council under Acts in Schedule (B.) may be exercised by Her Majesty on recommendation of Privy Council of Ireland.

Power vested in Lord Lieutenant and Council, on recommendation of Ecclesiastical Commissioners, to suspend appointments to dignities, may, on like recommendation, be exercised by Her Majesty.

A.D. 1882.

Powers of Lord Lieutenant or Lord Lieutenant and Council of issuing proclamations, and other powers vested in Lord Lieutenant and Council, and not otherwise provided for, transferred to Her Majesty.

7. It shall be lawful for Her Majesty to exercise all powers of issuing proclamations, and all powers the exercise of which is to be manifested or declared by proclamation, which under any Act or Acts, or otherwise by law, might if this Act had not been passed have been exercised by the Lord Lieutenant 5 alone, or by the Lord Lieutenant and the Privy Council of Ireland, or by the Lord Lieutenant by or with the advice or advice and consent or assent of such Privy Council, and to exercise and do all powers and acts whatsoever not herein otherwise provided for which under any Act or Acts, or otherwise by law, might if this 10 Act had not been passed have been exercised or done by the Lord Lieutenant and the Privy Council of Ireland, or the Lord Lieutenant by or with the advice or advice and consent or assent of such Privy Council.

Her Majesty may appoint lieutenants of counties, &c., and to the office of custos rotularum, in Ireland, and make other appointments now made by Lord Lieutenant, save as otherwise provided.

8. All powers and authorities for and in relation to the 15 appointment, approval, and removal of lieutenants of counties, counties of cities, and counties of towns, deputy lieutenants and vice-lieutenants, and in relation to the appointment to the office of custos rotularum, under which an Act of the second year of King William the Fourth, "to provide for the better order 20 " and government of Ireland by lieutenants for the several counties, " counties of cities, and counties of towns therein," are vested in the Lord Lieutenant of Ireland, may be exercised in like manner by Her Majesty; and it shall be lawful for Her Majesty to appoint or signify Her assent to the appointment of sheriffs in Ireland in like 25 manner as such sheriffs may be appointed by the Lord Lieutenant of Ireland, and (save where herein otherwise provided) to make all appointments to offices and remove from offices in like manner as the Lord Lieutenant is by any Act or Acts authorised in this behalf, and by warrant to so appoint the members of the Judicial 30 Committee of the Privy Council authorised to be appointed by the Lord Lieutenant under the Acts now in force, and which thereunto empower him in this behalf.

Powers of pardon vested in Lord Lieutenant transferred to Her Majesty.

9. All powers (if any) not appertaining to Her Majesty by virtue of Her royal prerogative which at the commencement of this Act 35 may be vested in the Lord Lieutenant of extending the royal mercy, or of remitting or mitigating any penalty or punishment, shall after the commencement of this Act be vested in Her Majesty.

Powers vested in Lord Lieutenant in Council under Acts

10. It shall be lawful for Her Majesty's Secretary of State appointed under this Act, by warrant or order under his hand 40 to exercise all powers make all appointments to and to remove from offices, and do all other acts which under the Acts

mentioned in the Schedule (A.) to this Act annexed, or any Act or Acts continuing such Acts, or any of them, might if this Act had not been passed have been exercised, made, and done by the Lord Lieutenant alone, or by the Lord Lieutenant in Council, or by such Lord Lieutenant and the Privy Council of Ireland, or by such Lord Lieutenant by and with the advice and consent of such Privy Council, save and except the power of issuing any proclamation, and any power the exercise of which is to be manifested or declared by proclamation, and save and except also all powers of causing or directing any money to be advanced out of the Consolidated Fund of the United Kingdom, and of fixing, appointing, or determining any salary or the amount thereof; and it shall be lawful for such Secretary of State to exercise all powers and to do all acts not herein otherwise provided for which the Lord Lieutenant would be by any Act or Acts authorised to exercise and do if this Act had not been passed.

11. All powers and acts whatsoever which under any Act or Acts might if this Act had not been passed have been exercised or done by the Chief Secretary or the Under Secretary to the Lord Lieutenant may, after the commencement of this Act, be exercised and done by such one of Her Majesty's Principal Secretaries of State as may be appointed under this Act.

12. All reports, statements, notices, certificates, and other documents and writings which by any Act or Acts are directed to be made, transmitted, or sent to the Lord Lieutenant or to the Chief or Under Secretary to the Lord Lieutenant, shall be made, transmitted, or sent to such of Her Majesty's Principal Secretaries of State as may be appointed under this Act as aforesaid; and all the provisions contained in such Act or Acts concerning the making, transmission, or sending of such reports, statements, notices, certificates, documents, and writings to the Lord Lieutenant, or his Chief or Under Secretary, and all penalties imposed by such Act or Acts for default or omission in so making, transmitting, or sending the same, shall be applicable to all such reports, statements, notices, certificates, documents, and writings as under this enactment are required to be made, transmitted, or sent to Secretary of State as aforesaid, and to default or omission in so making, transmitting, or sending the same, in like manner as if the same had by such Act or Acts been required to be so made, transmitted, or sent, instead of being thereby required to be made, transmitted, or sent to the Lord Lieutenant, or his Chief or Under Secretary.

A.D. 1832.
in Schedule (C.) and powers vested by Statute in Lord Lieutenant, and not otherwise provided for, may be exercised by Secretary of State.

Power of Chief and Under Secretary to Lord Lieutenant transferred to Secretary of State.

Reports, &c. required to be made to Lord Lieutenant to be made to Secretary of State.

If Her Majesty appoint a fourth Secretary, three Secretaries and Under Secretaries of State may sit in the House of Commons. Act not to affect Her Majesty's prerogative.

Interpretation of "Lord Lieutenant."

Act may be amended, &c.

13. And whereas it will become necessary to appoint an additional Secretary of State, it shall be lawful for Her Majesty to appoint such additional Secretary of State, who is to be an Irishman, elected for an Irish constituency, and sitting and voting as a member for such constituency in the House of Commons. 5

14. Provided always, that nothing in this Act contained shall extend or be construed to abridge or alter Her Majesty's prerogative in respect of any appointment, act, or matter which might have been made or done by Her Majesty in case this Act had not been passed. 10

15. In the construction of this Act the expression "the Lord Lieutenant" shall mean and include the Lord Lieutenant or Lieutenant General and Governor General of Ireland, and the Lord Deputy, Lords Justices, or other Chief Governor or Governors of Ireland. 15

16. This Act may be amended or repealed in this present Session of Parliament.

SCHEDULE to which this Act refers.

A.D. 1882.

SCHEDULE A.

- An Act of the Parliament of Ireland, intituled "An Act for promoting the Trade of Dublin by rendering its Port and Harbour more commodious." 25 G. 3. c. 10. (1.)
- 5 An Act of the Parliament of Ireland, intituled "An Act to explain and amend an Act intituled 'An Act for naturalising such Foreign Merchants, ' 'Traders, Artificers, Artizans, Manufacturers, Workmen, Seamen, Farmers, ' 'and others, who shall settle in this Kingdom.'" 26 G. 3. c. 48. (2.)
- An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of Dublin Metropolis. 28 G. 3. c. 140.
- 10 An Act to establish Fever Hospitals, and to make other Regulations for the Relief of the suffering Poor, and for preventing the Increase of Infectious Fevers, in Ireland. 28 G. 3. c. 47.
- 15 An Act to establish Regulations for preventing contagious Diseases in Ireland. 29 G. 3. c. 43.
- An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in Ireland. 1 & 2 G. 4. c. 33.
- 20 An Act to amend an Act of the first and second years of His present Majesty, for the Establishment of Asylums for the Lunatic Poor in Ireland. 6 G. 4. c. 24.
- An Act to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof. 6 G. 4. c. 76.
- An Act for the farther amendment of an Act of the first and second years of His present Majesty, for the Establishment of Asylums for the Lunatic Poor in Ireland. 7 G. 4. c. 14.
- 25 An Act for consolidating and amending the Laws relating to Prisons in Ireland. 7 G. 4. c. 74.
- An Act for appropriating the Richmond Lunatic Asylum in Dublin to the Purposes of a District Lunatic Asylum. 11 G. 4. c. 1 W. 4. c. 25.
- 30 An Act to amend an Act passed in the eleventh year of the reign of His late Majesty King George the Fourth, intituled "An Act for appropriating the Richmond Lunatic Asylum in Dublin to the Purposes of a District Lunatic Asylum." 1 W. 4. c. 13.
- 35 An Act to amend two Acts passed in the fifty-eighth and fifty-ninth Years of the reign of His Majesty King George the Third, for establishing Fever Hospitals and for preventing contagious Diseases in Ireland. 1 W. 4. c. 2.
- An Act for the Appointment of convenient Places for the holding of Assizes in Ireland. 5 & 6 W. 4. c. 26.

A.D. 1882.

6 & 7 W. 4.
c. 51.

An Act for converting the Richmond General Penitentiary into one of the Prisons for the County of the City of Dublin, and to amend the Law relating to Prisons in Ireland.

6 & 7 W. 4.
c. 75.

An Act to extend the Jurisdiction and regulate the Proceedings of the Civil Bill Courts in Ireland.

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6 & 7 W. 4.
c. 13.

An Act to consolidate the Laws relating to the Constabulary Force in Ireland.

6 & 7 W. 4.
c. 59.

An Act for improving the Police in the District of Dublin Metropolis.

6 & 7 W. 4.
c. 84.

An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland, and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereto the same may adjoin or wherein the same are locally situate.

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6 & 8 Vict.
c. 75.

An Act for the better Regulation of the Constabulary Force in Ireland.

6 & 4 Vict.
c. 44.

An Act to amend an Act of the seventh year of King George the Fourth, for consolidating and amending the Laws relating to Prisons in Ireland.

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6 & 4 Vict.
c. 103.

An Act to amend the Law relating to Court Houses in Ireland.

7 & 8 Vict.
c. 106.

An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin.

8 & 9 Vict.
c. 107.

An Act for the Establishment of a Central Asylum for Insane Persons charged with Offences in Ireland, and to amend the Act relating to the Prevention of Offences by Insane Persons and the Acts respecting Asylums for the Insane Poor in Ireland, and for appropriating the Lunatic Asylum in the City of Cork to the Purposes of a District Lunatic Asylum.

20

9 & 10 Vict.
c. 97.

An Act to provide for removing the Charge of the Constabulary Force in Ireland from the Counties, and for enlarging the Reserve Force, and to make further Provision for the Regulation and Disposition of the said Constabulary Force.

25

9 & 10 Vict.
c. 110.

An Act to amend the Law relating to the Valuation of rateable Property in Ireland.

9 & 10 Vict.
c. 115.

An Act to amend the Laws as to District Lunatic Asylums in Ireland, to provide for the Expenses of the Maintenance of certain Lunatic Poor removed from the Richmond Lunatic Asylum, Dublin, for Want of Room therein, and to provide for the Salaries and Expenses incident to the Office of Inspector of Lunatics in Ireland.

30

11 & 12 Vict.
c. 78.

An Act to amend the Acts relating to the Constabulary Force in Ireland, and to amend the Provisions for the Payment of Special Constables.

35

11 & 15 Vict.
c. 123.

An Act to renew and amend an Act of the tenth year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases.